

CITY OF LOCKPORT
CORPORATION PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

May 19, 2010
6:00 P.M.

Mayor Michael W. Tucker called the meeting to order.

ROLL CALL

The following Common Council members answered the roll call:

Aldermen Kibler, Pasceri, Smith, McKenzie, Chapman, and Genewick.

RECESS

Recess for public input.

051910.1

APPROVAL OF MINUTES

On motion of Alderman Pasceri, seconded by Alderman Kibler, the minutes of the Regular Meeting of May 5, 2010 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

FROM THE CITY CLERK

The Clerk submitted payrolls, bills for services and expenses, and reported that the Department Heads submitted reports of labor performed in their departments. Referred to the Finance Committee.

Communications (which have been referred to the appropriate City officials)

5/7/10 Niagara County Center for Economic Development, 6311 Inducon Corporate Drive, Sanborn, NY – notification of training sessions which will provide the State required hours of annual training for Planning and Zoning Board of Appeals Members. Training sessions will be held on Wednesday, June 16, 2010 beginning at 5:00 p.m. at Niagara County Community College. Referred to the Department of Building Inspection.

5/10/10 Richard P. Mullaney, City Clerk – notification that the Lockport Municipal Offices will be closed on Monday, May 31, 2010 in observance of Memorial Day. Garbage scheduled to be collected on Monday, May 31st will be picked-up on Tuesday, June 1st. Referred to the Media.

5/17/10 David E. Blarr, Manager, Lockport Stars, 384 North Transit Street, Lockport, NY – request permission to use the 90 foot baseball diamond for travel baseball. Referred to the Committee of the Whole.

5/18/10 Christopher Doktor, North Park Middle School, 160 Passaic Avenue, Lockport, NY – request permission erect a bounce house obstacle course at Outwater Park during their field day on June 17, 2010. Referred to the Committee of the Whole.

Notice of Defect:

5/10/10 380 Walnut Street, Lockport, NY – tree
5/12/10 47 Prentice Street, Lockport, NY – tree
5/12/10 187 Lock Street, Lockport, NY – tree
5/13/10 187 Lock Street, Lockport, NY – tree
Referred to the Highways & Parks Department.

Notice of Claim:

5/7/10 Deborah L. Mosher, 9 McIntosh Drive, Lockport, NY
5/12/10 James Bonitati, 191 Lock Street, Lockport, NY
5/13/10 Christina Balcom, 191 Lock Street, Lockport, NY
Referred to the Corporation Counsel.

MOTIONS & RESOLUTIONS

051910.2

By Alderman Kibler:

Resolved, that the Mayor and City Clerk be authorized to issue orders in favor of the claimants for payrolls, bills, and services to be paid on May 21, 2010.

Seconded by Alderman Pasceri and adopted. Ayes 6.

051910.3

By Alderman Kibler:

Resolved, that claims authorized for payment by the Director of Community Development, and subsequently paid from the Community Development Escrow Account, be and the same are hereby approved.

Seconded by Alderman McKenzie and adopted. Ayes 6.

051910.4

By Alderman Pasceri:

Resolved, that pursuant to their request, permission is hereby granted the residents of Irving Street to barricade Irving Street from McCue Avenue to Hildreth Street on June, 26, 2010, for a block party, and be it further

Resolved, that the Highways & Parks Department be and the same is hereby authorized and directed to deliver barricades to said area prior to said event.

Seconded by Alderman Kibler and adopted. Ayes 6.

051910.5

By Alderman Pasceri:

Resolved, that pursuant to the request of Jon Lewis Wilson, property owner of 111 Ontario Street, permission is hereby granted to replace and maintain a historic fence in the City's right-of-way at 111 Ontario Street subject to the following provisions:

That upon motion of the Common Council, duly adopted by a majority vote only, and thirty days notice from the City Clerk, the fence must be removed,

Filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured, leaving the City free and clear of all liability in connection therewith,

Payment of the revocable permit fee of \$100.00 renewable annually.

Seconded by Alderman Kibler and adopted. Ayes 6.

051910.6

By Alderman Kibler:

Resolved, that the Mayor, subject to Corporation Counsel approval, be and the same is hereby authorized and directed to execute an agreement with Bergmann Associates for Intranet ArcGIS Server Application Design and Implementation at a cost of \$25,000 to be paid over a three year period, and be it further

Resolved, that the Director of Engineering is hereby directed and authorized to transfer \$8334 from various 01-1440-479 line items within the 2010 budget to account # 01-1440-434 Professional Services to cover cost of same.

Seconded by Alderman Genewick and adopted. Ayes 6.

051910.7

By Alderman Kibler:

Resolved, that the City Treasurer be and the same is hereby authorized and directed to transfer \$15,025 from account #01-1900-1990 and \$10,791.50 from account #01-1900-1910 to account # 01-1420-434 for Corporation Counsel.

Seconded by Alderman McKenzie and adopted. Ayes 6.

051910.8

By Alderman McKenzie:

Resolved, that the Chief of Police be and the same is hereby authorized and directed to submit a grant application for a COPS Hiring Recovery Program that would include funding for five police officers.

Seconded by Alderman Kibler and adopted. Ayes 6.

051910.9 WITHDRAWN (Authorize Utility Director to purchase F150 pursuant to State Bid)

051910.10

By Alderman Kibler:

Whereas, the Common Council authorized by resolution # 071509.6C, the award of a contract for the construction of three offices for Lockport City Court with the anticipation of 100% reimbursement, and

Whereas, the City has received said reimbursement, now therefore be it

Resolved, that the City Treasurer be and the same is hereby authorized and directed to transfer \$81,339 in receipts from said reimbursement to the following accounts in the following amounts:

Account # 004-0520-0086 \$66,339

Account # 004-0520-0107 \$15,000

Seconded by Alderman McKenzie and adopted. Ayes 6.

051910.10A

By Alderman Kibler:

Whereas, the City of Lockport, may from time to time, take possession of housing pursuant to the In-Rem foreclosure procedure for unpaid taxes, and

Whereas, certain housing is dilapidated housing beyond salvage, and

Whereas, the City wishes to demolish said dilapidated housing and,

Whereas, the City receives revenue from the sale of certain foreclosed property that doesn't require demolition, and

Whereas, the City wishes to create a source of funds to demolish dilapidated housing it acquires via its In-Rem procedure, now therefore be it

Resolved, that the City Treasurer is hereby authorized and directed to establish a General Fund Capital Reserve Fund for the purpose of depositing monies derived from the sale of real property via the City's In-Rem Procedure and transfer funds as follows:

GENERAL FUND BUDGET / SALE OF PROPERTY / COMPENSATION FOR LOSS

01 2660 Sale of Property Revenues

Fiscal Year 2009 \$100,000

***Fiscal Year 2010 100% of revenue amount received after budget estimate
of \$142,500 is satisfied***

Seconded by Alderman Genewick and adopted. Ayes 6.

051910.10B

By Alderman Kibler:

Whereas, the City of Lockport has entered into a Contract with the NYS DOS to study the feasibility of placing a Harbor and Marine Center on the Erie Canal west of Locks 34 / 35, and

Whereas, the NYSDOS will contribute \$57,500 towards the completion of this study, and

Whereas, the Niagara County Legislature will contribute \$57,500 through the use of Casino Revenue, and

Whereas, the Director of Engineering has solicited proposals from Professional Consultants to complete this study, and

Whereas, the Director of Engineering recommends that Labella Associates, PC be contracted with the City of Lockport to complete this study, now therefore be it

Resolved, that the Mayor be authorized and directed to enter into a Contract with Labella Associates, PC for the completion of a Harbor and Marine Center Feasibility Study for a cost of \$102,452 to be charged to account #004-0520-0093, and be it further

Resolved, that upon approval of Corporation Counsel, the Mayor is hereby authorized and directed to execute any and all agreements with the NYS DOS in connection with the Harbor and Marine Center Project.

Seconded by Alderman McKenzie and adopted. Ayes 6.

051910.10C

By Alderman McKenzie:

Resolved, that pursuant to their request, North Park Middle School is hereby granted permission to use the south pavilion and to erect an inflatable obstacle course at Outwater park on June 17, 2010 during their field days subject to filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Pasceri and adopted. Ayes 6.

051910.10D

By Alderman McKenzie:

Resolved, that pursuant to their request, the Lockport Stars baseball team is hereby granted permission to use the 90 ft. baseball diamond at Outwater Park for the 2010 Western New York Travel Baseball League games subject to approval of the schedule by the Highways and Parks Department and Western New York Travel Baseball filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Kibler and adopted. Ayes 6.

051910.11

ADJOURNMENT

At 6:14 P.M. Alderman Pasceri moved the Common Council be adjourned until 6:00 P.M., Wednesday, June 2, 2010.

Seconded by Alderman McKenzie and adopted. Ayes 6.

RICHARD P. MULLANEY
City Clerk